

877—12.4(7B,PL97-300,PL102-367) Service delivery area designations.

12.4(1) *Governor's proposed service delivery areas.* After receiving the recommendations of the workforce development board, the department of workforce development shall publish in a daily newspaper of general circulation in the state the governor's proposed designation of service delivery areas.

12.4(2) *Public comment.* Units of local government, business organizations, and other affected persons or organizations may make written comments on the proposed service delivery areas to the Policy Office, Department of Workforce Development, 150 Des Moines Street, Des Moines, Iowa 50309, within 30 days from the date of publication or a date designated by the department which allows at least 30 days for comment.

12.4(3) *Petitions for alternative service delivery area designation.* Within 30 days from the date of publication of the governor's proposed designation of service delivery areas or a date designated by the department which provides at least 30 days for response, any unit of general local government or consortium of contiguous units of general local government which serves a substantial portion of a labor market area may petition for alternative service delivery area designation. Petitions under this subrule shall be submitted to the Policy Office, Department of Workforce Development, 150 Des Moines Street, Des Moines, Iowa 50309, and shall include:

a. The name or names of the unit or units of general local government in the proposed alternative service delivery area.

b. The aggregate population of that unit or units according to the 1990 U.S. Census data.

c. In the case where the proposed alternative service delivery area contains more than one unit of general local government or less than 200,000 aggregate population, a statement describing how the proposed alternative service delivery area serves a substantial portion of a labor market area.

d. A statement indicating how the proposed alternative service delivery area will promote effective delivery of job training services.

e. In the case where the proposed alternative service delivery area represents a consortium of units of general local government, a letter of intent must be executed by each unit of general local government in the proposed alternative service delivery area, which indicates that each unit endorses the petition and will amend its consortium agreement to conform to Iowa Code chapter 28E and these rules.

12.4(4) *Appeal of petition for alternative service delivery area designation.* When the governor denies a petition for alternative service delivery area designation, which alleges the petitioning unit of general local government has a population of 200,000 or more, or the petitioning consortium of contiguous units of general local government has an aggregate population of 200,000 or more and serves a substantial part of a labor market area, the petitioning entity may appeal the denial to the Secretary, U.S. Department of Labor, Washington, D.C. 20210. To be heard, the appeal must be filed within 30 days of receipt of such denial.

12.4(5) *Publication of final service delivery area designations.* After the governor makes a final designation of service delivery areas in the state, the department of workforce development shall publish a notice of the final designations in a daily newspaper of general circulation in the state.